

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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IN RE:

NICHOLAS AND LYDIA D'ALESSIO

Case #: 15-71013
FIRST AMENDED
CHAPTER 13 PLAN

Debtor

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1. The future earnings of the debtor are submitted to the supervision and control of the trustee and the debtor shall pay to the trustee as follows OVER A TERM OF FIFTY-SIX (56) MONTHS as follows: \$350.00 PER MONTH COMMENCING AUGUST 2015 AND ENDING JULY 2020. IN ADDITION, COMMENCING TAX YEAR 2015, ANY TAX REFUNDS RECEIVED BY THE DEBTOR DURING THE LIFE OF THE PLAN. DEBTOR IS TO PROVIDE THE TRUSTEE WITH COPIES OF THEIR TAX RETURNS BY NO LATER THAN APRIL 15TH OF EACH YEAR AND TURN OVER THEIR TAX REFUNDS, IF ANY, BY NO LATER THAN JUNE 15TH OF EACH YEAR.

2. From the payments so received, the trustee shall make disbursements as follows:
(a) Full payment in deferred cash payments of all ALLOWED claims entitled to priority under 11 U.S.C. Section 507:

(i) Trustee Commission of 10%; (ii) Richard Feinsilver - \$3000.00, (iii) NYS Department of Taxation and Finance - \$10732.26

(b) Holders of allowed secured claims shall retain the liens securing such claims and shall be paid as follows:

BOA HOME LOANS (Loan #2369) - Debtor is current in the remittance of first mortgage payments encumbering debtor's property at 51 Lebrun Avenue, Amityville NY at the time of filing. Debtor shall remain current and remit post petition payments directly to this creditor outside of the plan
HAHN FINANCIAL (Lease #7469) - Debtor is current in the remittance of auto lease payments encumbering debtor's 2013 Chrysler Town and County at the time of filing. Debtor shall assume lease, remain current and remit post petition payments directly to this creditor outside of the plan

c) Subsequent to the payment of dividends to secured creditors, dividends to unsecured creditors whose claims are duly allowed as follows:

Pro-rata distribution to all timely filed proofs of claim AS FOLLOWS:

Unsecured creditors, as a class, are to receive A PRO RATA DISTRIBUTION of not less than \$1,000.00

3. The following executory contracts and leases of the debtor are rejected: None.

4. Other provisions:

Title to the debtor's property shall revert in the debtor upon confirmation of a plan.

Throughout the term of this plan, debtor agrees that it will not incur post-petition debt over \$1500.00 without first notifying the Chapter 13 trustee in writing.

Dated: October 5, 2015

s/Nicholas D'Alessio

Debtor

s/Lydia D'Alessio

Debtor

s/Richard S. Feinsilver

Debtor's Attorney